

Application No. 10/772,557
Response to Office Action dated 4/11/05
Atty. Docket No. 027298-9055

Remarks

As amended, Claims 62-81 are pending in the Pending Application. In this Amendment and Response to Office Action, Claims 41-44, 48-52, and 56-61 have been canceled and Claims 62-81 have been added. Claims 62-81 are supported by the Pending Application, including the specification, drawings and claims, as filed. No new matter has been added. No claims stand rejected.

A. Claim Rejections under 35 USC 112, Second Paragraph:

The Examiner has rejected Claims 41-44, 48-52, and 56-61 under 35 USC 112, second paragraph, as being a purported process that includes no steps. Claims 41-44, 48-52, and 56-61 have been canceled. It is therefore respectfully requested that this rejection be withdrawn.

B. Claim Rejections under 35 USC 102(3):

The Examiner has rejected Claims 41-44, 48-52, and 56-61 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No.: 4,783,179 ("Katayama"). In particular, the Examiner states that all the claimed subject matter is present in Katayama and makes reference to Figure 1 of Katayama.

Claims 41-44, 48-52, and 56-61 have been canceled. It is therefore respectfully requested that this rejection be withdrawn.

C. New Claims 62-81:

"A claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently in a single prior art reference." MPEP §2131; Verdegall Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987). Claims 62-81 are distinguishable over Katayama because Katayama fails to disclose all the limitations recited in Claims 62-81. More specifically, Katayama fails to teach the following elements (steps) recited in Claims 62-81 of the Pending Application: (1) forming two longitudinally extending

Application No. 10/772,557
Response to Office Action dated 4/11/05
Atty. Docket No. 027298-9055

cantilevered springs in either a bearing cage or a housing, and (2) inserting the bearing cage into an opening in the housing so that the two longitudinally extending cantilevered springs form a fluid seal with either the housing or the bearing cage, respectively.

Katayama teaches a sealing and bearing device for a rotary fluid machine that forms a fluid seal between a shaft 2 and bearings 9. [Katayama, col. 2, lns. 4-10]. The sealing and bearing device includes a bearing housing 8, oil membrane bearings 9, and a housing 4 all disposed within a shaft chamber 1 [Katayama, columns 2-3, lines 64-68 and 1-5, respectively, Figures 1-3b]. An oil discharge chamber 12 is formed between the housing 4 and the bearing housing 8 and is kept at atmospheric pressure via a groove 11 that is in communication with the atmosphere. [Katayama, col. 3, lns. 31-34]. The shaft chamber 1 includes an oil opening 1' through which high-pressure oil is fed into the housing 4. [Katayama, col. 3, lns. 24-27]. When the high-pressure oil is fed into the housing 4, the bearing housing 8 is pressed downward by the pressure difference between the oil on the periphery of the bearing housing 8 and the pressure of the oil in the oil discharge chamber 12. [Katayama, col. 3, lns. 27-32]. In addition, the high pressure oil lubricates the bearings 9 and acts on sealing rings 6, 7, which serve to prevent gas in the chamber from leaking. [Katayama, col. 3, lns. 40-47].

Katayama provides a fluid seal between the shaft 2 and bearings 9 using a differential oil pressure. Katayama does not teach forming two cantilever springs in the bearing housing (cage) 8 or the housing 4 that provide a fluid seal between the bearing housing (cage) 8 and the housing 4 when the bearing housing (cage) 8 is inserted into the housing 4. Thus, Katayama does not teach all the elements of Claim 62-81. It is therefore respectfully asserted that new Claims 62-81 are patentably distinguishable over the art cited by the Examiner.

Application No. 10/772,557
Response to Office Action dated 4/11/05
Atty. Docket No. 027298-9055

Conclusions

In view of the amendments and remarks set forth in this Amendment and Response to Office Action, it is respectfully submitted that the Pending Application, including new Claims 62-81, is in condition for allowance. Therefore, it is respectfully requested that the foregoing amendments be entered, and the Pending Application be allowed.

The Examiner is invited to contact the undersigned if such contact would in any way facilitate and expedite the prosecution of this application.

Respectfully submitted,

Date: 11 July 2005


Susan D. Reinecke, Reg. No. 40,198
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(312) 222-0800

Docket No.: 027298-9055